

6 July 1970

MEMORANDUM FOR: Director of Basic and Geographic Intelligence  
THROUGH : Deputy Director of Basic and Geographic Intelligence  
THROUGH : Chief, Administrative Staff, OBGI  
THROUGH : Chief, Geography Division, OBGI  
SUBJECT : [REDACTED] 25X1A  
25X1A the Law of  
the Sea Institute's Fifth Annual  
Conference at the University of  
Rhode Island, 15-18 June, 1970.

1. Purpose of Travel

To participate in this Fifth Annual Conference to insure that the Geography Division remains knowledgeable of the current views and developments relating to the international law of the sea. The conference was arranged and conducted under the auspices of the University of Rhode Island's Law of the Sea Institute.

2. Activities and Findings

a. The program planned for this year's conference was to describe and critically evaluate the role of the United Nations and other intergovernmental organizations in ocean management. From the outset, however, this theme was overshadowed by two important recent events - 1) the announced US position on the seabed, and 2) the unilateral Canadian action on pollution control in arctic waters. To these subjects a selected group of maritime lawyers, marine scientists, government officials, industrial representatives, and academicians addressed themselves in prepared papers and panel discussions. Participating in the conference this year were over 175 people from 18 countries (see attached list of participants).

b. Easily the topic of most interest was the recently stated US policy position on the seabed. Most of the speakers felt that the proposal was noteworthy because, coming from the US, it will stimulate debate and action in the UN General Assembly. Maltese Ambassador Arvid Pardo, whose proposal for international management of ocean resources aroused UN interest in the seabed 3 years ago, lauded the US proposal as a step in the direction of preventing future conflicts over jurisdiction and pollution of the world's oceans. Other diplomats predicted

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GROUP 1  
Excluded from automatic  
downgrading and  
declassification

that the negotiations for a seabed treaty will be long and complex, possibly taking 10-12 years. The question of the interdependence of the seabed issue and the territorial sea issue is of much concern. Whether these issues, as well as fisheries, disarmament of the seabed, and passage through international straits can be negotiated separately, as the US would like, is debatable at this time. Another interesting point was an apparent dichotomy of views in the oil and gas industry over the US proposal. One side brands the proposal as a giveaway of rich natural resources that are presently under US jurisdiction, while the other side feels that the proposal is a good viable start that seeks to reconcile the several conflicting seabed concepts and contains certain safeguards that could be palatable to industry.

3. The session titled Case Studies in Regional Management: Anglo-America engendered some interesting papers and lively floor debate. The key issue was whether the Canadians were justified in unilaterally asserting pollution control over the vast arctic waters of North America. A Defense Department legal officer contended that in a "groundswell of nationalism" the Canadians had gone too far and that the result would undoubtedly hurt the orderly development of international law of the sea. Control of the northwest passage could easily have been effected by simply widening Canada's territorial seas to 12 miles, or possibly even by the existing 3 mile limit. Furthermore, it was argued, sea pollution is not restricted to the seas of the Canadian arctic, but to all arctic seas and hence any regulatory assertions should be made by all circumpolar nations. Two Canadian speakers countered with statements that the potential seriousness of oil pollution in an arctic environment is so great and that the existing methods for instituting safeguards so slow that the Canadian Government had no alternative. Several international lawyers claimed that the Canadian unilateral action was not unusual, but rather a common practice in the development of international law. The problem lies more in the failure of existing international law to protect the coastal state from irresponsible shipping practices rather than in Canada's failure to adhere to existing international law.

4. Between the sessions [REDACTED] had a 25X1A lengthy conversation with Dr. William E. Butler, international lawyer from the Harvard School of Law, who was chairman of one of the conference sessions. In the last several years Dr. Butler has written extensively on Soviet maritime law, including two books -- The Law of Soviet Territorial Waters and Merchant Shipping Code of the USSR. He appears to be thoroughly knowledgeable of Soviet legal

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writing and attitudes, and his insight on the Soviet scene is enhanced by the fact that he has traveled in the USSR at five different times. Dr. Butler will be a Reader of Comparative Law at the University of London for the next 2 years. He would probably be agreeable to make his knowledge of Soviet law available to our government, if requested.

c. A conversation was held with Dr. Milner B. Schaefer of the Institute of Marine Resources, University of California at San Diego, regarding statistics on the annual world production of living resources from the sea. Dr. Schaefer stated that current production is 65 million tons per year and estimates the figure would double in about 10 years. He promised to send to [REDACTED] a small bibliography and selected articles covering this subject.

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3. Commitments

None.

4. Problems

None.

5. Conclusions and Recommendations

a. The tone of this year's conference justifies OBGI Geography Division's recent decision to place increased emphasis on world law of the sea matters. Ocean science technology has entered a "quantum jump" era, with resulting exploitation of the seas and seabeds not far behind with all its attendant issues of national sovereignty and security. Evolution of international law has not kept pace, and confrontation and possible conflict between nations over these matters grows more likely. As our government enters into a period of heated domestic and international debate on law of the sea subjects and seeks to enact treaties with far-reaching consequences, it is important that components of the intelligence community acquire an understanding of these complex problems and be alert to their national security implications. Attendance at a conference such as this is invaluable to the intelligence officer in developing such an understanding.

b. It is recommended that OBGI subscribe to the Law of the Sea Institute's "Occasional Papers" and to "Ocean Science News". Several current basic texts on Law of the Sea, Fisheries, and Oceanography should also be purchased.

c. At a business session Dr. Lewis Alexander, Director of the Law of the Sea Institute announced that

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the institute had recently received a \$139,000 grant from the Ford Foundation. Of this sum, \$90,000 is to be used to bring 30 interested foreigners a year to future conferences. Attempts will be made to select from countries other than those bordering the North Atlantic. Dr. Alexander is presently seeking suggestions as to who should be invited. It is recommended that [REDACTED] be made aware of this program as they may have contacts who could qualify for attendance. DDP should also be informed.

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LAW OF THE SEA INSTITUTE

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FIFTH ANNUAL CONFERENCE - June 15 - 18, 1970

PROGRAM

Monday, June 15

8:45 Registration

9:15 Welcoming Address

Werner A. Baum, President, University of Rhode Island

9:45 Activities of the United Nations General Assembly

Chairman: Lewis M. Alexander, Exec. Director, Law of the Sea Institute

Louis Henkin, School of Law, Columbia University

Arvid Pardo, Ambassador, Embassy of Malta to the United States

Lennox F. Ballah, Trinidad and Tobago Mission to the United Nations

2:00 Management of International Fisheries Arrangements

Chairman: William E. Butler, School of Law, Harvard University

Hiroshi Kasahara, Dean, College of Fisheries, University of Washington

William Sullivan, Office of Fisheries and Wildlife, State Department

Jacob J. Dykstra, President, Point Judith Fishermen's Cooperative

Clive Southey, Bishop's University, Lennoxville, Quebec, Canada

6:00 Buffet and Reception, Dunes Club, Narragansett Pier, Rhode Island

Tuesday, June 16

9:00 International Machinery for Seabed Development

Chairman: Milner B. Schaefer, Institute of Marine Resources, University of California at San Diego

C. Normand Poirier, U.S. Arms Control and Disarmament Agency

Joseph W. Morris, Amerada Hess Corporation, Tulsa, Oklahoma

John Laylin, Covington & Burling, Washington, D. C.

2:00 The Intergovernmental Oceanographic Commission

Chairman: Gerard Sullivan, Woods Hole Oceanographic Institution

Sidney J. Holt, The Intergovernmental Oceanographic Commission, Paris

Warren S. Wooster, Food and Agriculture Organization of the United Nations, Rome

8:30 Special Report: The U.S. Position on the Seabed

Chairman: Francis T. Christy, Jr., Resources for the Future, Inc.

Speaker: Bernard Oxman, U.S. Department of State

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9:00 The Role of United Nations Agencies in Environmental Monitoring

Chairman: Thomas A. Clingan, Jr., National Law Center, The George Washington University

Robert White, Environmental Science Services Administration, U. S. Department of Commerce

N. L. Veranneman, World Meteorological Organization, Geneva, Switzerland

Thomas S. Busha, Intergovernmental Maritime Consultative Organization, London, England

Robert B. Bilder, Law School, University of Wisconsin

1:30 Business Meeting and Follow-Up Session

Hyman Orlin, Earth Science Activities, ESSA

Frank J. Hortig, California State Lands Commission

2:15 Case Studies in Regional Management: The North Sea

Chairman: William L. Griffin, Attorney at Law, Washington, D. C.

A. F. Fox, British Petroleum Ltd., London, England

Albert W. Koers, Institute for International Law, University of Utrecht, the Netherlands

Gerhard Breuer, Federal Ministry of Transportation, Hamburg, West Germany

Paul Adam, Organization for Economic Cooperation and Development, Paris, France

Thursday, June 18

9:00 Case Studies in Regional Management: Anglo-America

Chairman: John A. Knauss, Dean, Graduate School of Oceanography, University of Rhode Island

Leigh Ratiner, U.S. Defense Dept., Advisory Group on Law of the Sea

Douglas Johnston, Dept. of Political Economy, University of Toronto

John E. McCracken, National Bulk Carriers, Inc., New York

Allan Beesley or L. LeGault, Department of External Affairs, Canada

2:00 Case Studies in Regional Management: Latin America

Chairman: Donald McKernan, Ambassador for Fisheries and Wildlife, U.S. Department of State

Edmundo Vargas, Legal Advisor to the Ministry of Foreign Relations, Santiago, Chile

August J. Pelando, American Tunaboat Assoc., San Diego, California

Edwin Letts, Ministry of Foreign Affairs, Lima, Peru

7:00 Banquet, Holiday Inn, Kingston

FIFTH ANNUAL CONFERENCE - June 15-18, 1970

List of Participants

Adam, Dr. Paul, Head, Fisheries Division, Agricultural Directorate, Organization for Economic Cooperation and Development, Paris, France

✓ Alexander, Dr. Lewis M., Executive Director, Law of the Sea Institute

Alexandrowicz, G., Queen's University, Ontario, Canada

Allen, Edward, Allen, DeGarmo and Leedy, Seattle, Washington

Amerasinghe, Ambassador H. S., Permanent Mission of Ceylon to the United Nations

Amores, Hugo, Scholar, Washington, D. C.

Bailah, Lennox F., Trinidad and Tobago Mission to the United Nations

Beesley, Allan, Department of External Affairs, Ottawa, Canada

Bermingham, Paul E., Mobil Oil Corporation, New York

Bilder, Professor Richard B., University of Wisconsin Law School

Blake, F. Gilman, Jr., Chevron Oil Field Research Company, La Habra, California

Blaustein, Paul, Scholar, Columbia University

Blumberg, Robert C., Director of Mineral Resources, Department of Natural Resources, Boston, Massachusetts

Botzum, John, Editorial Assistant, Ocean Science News, Washington, D. C.

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Bonaparte, Otto M., Oceanography Equities, New York

Breuer, Dr. Gerhard, Deputy Assistant Secretary for Maritime Affairs, Federal Ministry of Transportation, Hamburg, West Germany

Brill, Richard, General Counsel, Alpine Geophysical Associates, New Jersey

✓ Brittin, Burdick H., Department of State, Washington, D. C.

Brown, James P., Editorial Board, New York Times

Bursley, G. H. Patrick, U.S. Coast Guard

Busha, Thomas S., Intergovernmental Maritime Consultative Organization, London

Butler, William E., School of Law, Harvard University, Cambridge, Massachusetts

Carroz, Jean, FAO, Rome

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Clift, A. Denis, National Council of Marine Resources and Engineering Development, Washington, D. C.

Callahan, Lt. John, Rockville, Maryland

Clingan, Professor Thomas A., Jr., The National Law Center, The George Washington University, Washington, D. C.

Cooper, E. J., Territorial Waters Officer, Department of Energy, Mines, and Resources, Ottawa, Ontario, Canada

Cotter, Francis A., Attorney, Office of the Solicitor, Department of the Interior, Washington, D. C.

Debergh, Jan P., Counselor, Belgian Mission to the United Nations

Di Palma, Salvadore, Attache for Africa, U.S. Regional Fisheries, Department of State, Washington, D. C.

Dithmer, Torben, Permanent Mission of Denmark to the United Nations

Dykstra, Jacob J., Point Judith Fishermen's Cooperative, Inc., Rhode Island

Bichelberger, Clark, Commission to Study the Organization of Peace, New York

Esterly, Dr. Henry H., City University of New York, N.Y.C. Community College

Felando, August J., American Tunaboat Association, San Diego, California

Fernandez-Serrano, Lucrecia, Institute of International Education, New York

Fitzpatrick, William J., Department of Geography, University of Rhode Island

Fox, A. F., British Petroleum, Ltd., London, England

Gaucher, Donald H., Public Affairs Department, Humble Oil and Refining, Texas

Gerstle, Peggy, Assistant to Senator Pell, Washington, D. C.

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Greer, Robert W., Geographer, U.S. Government, Washington, D. C.

Gorove, Stephen, University of Mississippi

Griffin, William L., Attorney, Washington, D. C.

Grundy, James, Canadian Institute of International Affairs, New York

Halperin, David J., University of Maine School of Law

Hayes, Edward B., Lord, Bissell and Brook, Chicago, Illinois

Hedberg, Hollis, Princeton University, New Jersey

Hemmer, Professor Louis, School of Law, Columbia University, New York



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Hortig, Frank J., California State Lands Commission, Los Angeles, California

Hull, E. W. S., Editor, Ocean Science News, Washington, D. C.

Jackman, Ambassador Oliver, Permanent Mission of Barbados to the United Nations

Johnson, Milton, ESSA, Washington, D. C.

Johnston, Douglas, Department of Political Economy, University of Toronto

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Kincaid, John, Embassy of South Africa, Washington, D. C.

Knauss, John A., Dean, Graduate School of Oceanography, University of Rhode Island

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Koers, Albert W., Institute for International Law, University of Utrecht, the Netherlands

Laylin, John, Covington and Burling, Washington, D. C.

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✓ Lindgren, David E., Attorney, Office of the Solicitor, Department of the Interior, Washington, D. C.

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✓ McIntyre, Terry V., Office of the Geographer, Department of State, Washington, D.C.

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✓ Oxman, Bernard, U.S. Department of State, Washington, D. C.

✓ Pardo, Ambassador Arvid, Embassy of Malta, Washington, D. C. ✓

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